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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/519,165 | 03/06/2000 | David W. Sherrer | ACT-111 | 8879 |

26086 7590 06/10/2002

HALEOS, INC.
3150 STATE STREET
BLACKSBURG, VA 24060

EXAMINER

WATKINS III, WILLIAM P

| ART UNIT | PAPER NUMBER |
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1772

DATE MAILED: 06/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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03/27/2002

Dan Steinberg
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EXAMINER

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13

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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Commissioner of Patents and Trademarks

See the attachment.

Art Unit: 1772

1. The reply filed on 04 January 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the amendment filed 04 January 2002 adds one new independent claim beyond those previously paid for and nine new dependent claims beyond those previously paid for, resulting in a total additional fee of \$123.00 being due in order to process the amendment. This fee was not paid with the amendment and no evidence of a deposit account is present in the file. A call by the Legal Instrument Examiner to applicant's counsel failed to result in authorization to charge a specific deposit account. Therefore the amendment is being treated as non-responsive (MPEP 607, MPEP 714.03). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 703-308-2420. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

Art Unit: 1772

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 703-308-4251. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



WW/ww

March 15, 2002

**WILLIAM P. WATKINS III
PRIMARY EXAMINER**